

**REMARKS/ARGUMENTS**

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 28, 29, 31-48, 51-60, and 63-69 are presently active in this case; Claims 61 and 62 having been canceled without prejudice, and Claims 28, 58, 64, and 67 having been amended by way of the present amendment.

In the outstanding Official Action, Claims 61 and 62 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite; Claims 28, 36, and 42-45 were rejected under 35 U.S.C. §102(b) as being anticipated by Ebinuma (U.S. Pat. No. 6,252,314); Claims 58-60, 64, and 65 were rejected under 35 U.S.C. §102(b) as being anticipated by Osanai (U.S. Pat. No. 5,610,686); Claim 29 was rejected under 35 U.S.C. §103(a) as being unpatentable over Ebinuma; Claim 31 was rejected under 35 U.S.C.U.S.C. §103(a) as being unpatentable over Ebinuma in view of Yanagawa (U.S. Pat. No. 5,984,448); Claims 67 and 68 were rejected under 35 U.S.C. §103(a) as being unpatentable over Osanai; Claims 66 and 69 were rejected under 35 U.S.C. §103(a) as being unpatentable over Osanai in view of Yanagawa; Claims 46-48 and 51-57 were indicated as being allowed; and Claims 32-34, 37-41, and 63 were indicated as being allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims.

Regarding the 35 U.S.C. § 112, second paragraph, rejection, Claims 61 and 62 have been canceled without prejudice. Thus, the 35 U.S.C. § 112, second paragraph, rejection

has been overcome.

Applicant acknowledges with appreciation the indication of allowable subject matter in Claims 32-34, 37-41, and 63 and in the allowance of Claims 46-48 and 51-57. In order to expedite prosecution of the present case, independent Claims 28, 58, 64, and 67 have been amended to include subject matter similar to that recited in independent Claim 46. As such, these independent claims include features not found in Ebinuma or Osanai.

For instance, Ebinuma does not disclose that the first transmitting member is arranged independently of the stage base which movably supports the sample stage, as defined in amended Claim 28. Moreover, Osanai does not disclose that the first supporting frame is arranged independently of the stage base which movably supports the stage, as defined in amended Claims 58, 64, and 67. Thus, Claims 28, 58, 64, and 67 and the claims dependent therefrom are believed to patentably define over Ebinuma and Osanai.

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Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in a condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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